

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

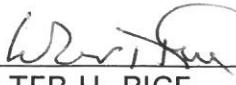
JULIAN LOEZA, :
Petitioner,
v. : Case No. 3:16-cr-54
UNITED STATES OF AMERICA, : JUDGE WALTER H. RICE
Respondent. :

DECISION AND ENTRY OVERRULING PETITIONER'S MOTION FOR
REDUCTION OF SENTENCE PURSUANT TO 18 U.S.C. § 3582(c)(2)
IN CONJUNCTION WITH "FIRST OFFENDER AMENDMENT TO THE
UNITED STATES SENTENCING GUIDELINES THAT WENT INTO
EFFECT ON NOVEMBER 1, 2017" (DOC. #39)

This matter is currently before the Court on Petitioner's Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2) in Conjunction with "First Offender Amendment to the United States Sentencing Guidelines that Went Into Effect on November 1, 2017." Doc. #39. Although a "First Offender" amendment has been proposed, it has not yet been adopted. Moreover, given that Petitioner, when sentenced, had a Criminal History Category of III, reduced from V, he does not qualify as a "First Offender."

Accordingly, Petitioner's Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2), Doc. #39, is OVERRULED.

Date: April 9, 2018



WALTER H. RICE
UNITED STATES DISTRICT JUDGE